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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,148	05/15/2001	Simon Edwin Crouch	B-4180 618802-6	2505

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LADAS & PARRY

Suite 2100

5670 Wilshire Boulevard

Los Angeles, CA 90036-5679

EXAMINER

LE, NHAN T

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/858,148

Applicant(s)

CROUCH ET AL.

Examiner

Nhan T Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05152001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-9,11,13-16,18 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-9,11,13-16,18 and 20-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/08/04 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 4-5, 7-9, 11, 13, 15-18, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koshima et al (US 6,415,155) in view of Seraj (US 6,055,434).

As to claims 1, 16, Koshima teaches a method of retrieving location-related information using a mobile device having both two distinct communication sub-systems namely a cellular radio communication sub-system and a short-range communication sub-systems, the method involving:

- obtaining a locality indicator, using the cellular radio communication sub-system, the locality indicator indicating a current locality of the mobile device (see fig. 1, numbers 5A, 5B, 5C, col. 3, lines 37-48);

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- extracting local information from transmitted data received from a transmission source by using the short-range communication subsystem, the local information being information other than location information (see fig. 1, numbers 6A, 6B, 6C, col. 3, line 49- col. 4, line 6); and

- using the locality indicator and local information in combination as characterising data to access a data record associated with the source of the transmitted data and then using that data record to retrieve specific information having a relation to the current location of the mobile device (see col. 4, lines 7-25).

Koshima fails to teach the local information being information about a local business or landmark. Seraj teaches the local information being information about a local business or landmark (see col. 3, lines 23-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Seraj into the system of Koshima in order to provide coverage for a limited geographic area which is smaller than the cell area (as suggested by Seraj, see col. 3, lines 49-55).

As to claim 4, Koshima fails to teach a method according to claim 1, wherein the accessing of the data record associated with the source of the transmitted data is effected by searching a database comprising a plurality of data records each associated with a respective transmission source and each holding data transmitted by that source, each data record being further associated with a locality indicator indicative of the locality of the related source. Seraj teaches a method according to claim 1, wherein the accessing of the data record associated with the source of the transmitted data is

effected by mapping table, application module comprising a plurality of data records each associated with a respective transmission source and each holding data transmitted by that source, each data record being further associated with a locality indicator indicative of the locality of the related source (see col. 5, lines 3-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Seraj into the system of Koshima so that the located information can be retrieved faster.

As to claims 5, 18, the combination of Koshima and Seraj further teaches a method according to claim 4, wherein the database is held remotely, the mobile device using the cellular radio communication sub-system to pass the local information and locality indicator to a service system which then accesses the database to retrieve said specific information and return it to the device using the cellular radio communication sub-system of the latter (see Seraj col. 6, lines 8-35).

As to claim 7, the combination of Koshima and Seraj teaches a method according to claim 1, wherein the specific information is location (see Koshima fig. 1, numbers 6A, 6B, 6C, col. 3, line 49- col. 4, line 6).

As to claim 8, the combination of Koshima and Seraj teaches a method according to claim 1, wherein the specific information is information about the source that transmitted the local information to the mobile device (see Koshima fig. 1, numbers 6A, 6B, 6C, col. 3, line 49- col. 4, line 6).

As to claim 9, the combination of Koshima and Seraj teaches a method according to claim 1, wherein the specific information is supplemental information about

the same topic as the local information (see Koshima fig. 1, numbers 6A, 6B, 6C, col. 3, line 49- col. 4, line 6).

As to claim 11, the combination of Koshima and Seraj teaches a method according to claim 1, wherein the locality indicator comprises an identifier of the current cell in which the mobile device is camped (see Koshima fig. 1, numbers 5A, 5B, 5C, col. 3, lines 37-48).

As to claims 13, 20, the combination of Koshima and Seraj inherently teaches a method according to claim 1, wherein the short-range communication sub-system is a short-range radio transceiver.

As to claims 15, 21, the combination of Koshima and Seraj teaches a method according to claim 1, wherein the obtained locality indicator and local information are stored in the mobile device and subsequently used to retrieve the specific information at a time convenient to the user (see Koshima fig. 5, col. 6, lines 12-39).

As to claims 22, 24, Koshima teaches a method of providing an information service comprising: storing a plurality of data records each associated with a respective fixed short-range transmitter and holding items of local information that included in data transmitted by the corresponding transmitters, each data record being further associated with a locality indicator indicating the locality of the transmitter associated with the record (see fig. 1, numbers 5A, 5B, 5C, col. 3, lines 37-48; numbers 6A, 6B, 6C, col. 3, line 49- col. 4, line 6). However, Koshima fails to teach the local information about a local business or landmark and a database storing and receiving a search request including, as search parameters, both a particular locality indicator and a

particular item of local information and searching for a database match both search parameters. Seraj teaches the local information about a local business or landmark (see col. 3, lines 23-55) and a database storing and receiving a search request including, as search parameters, both a particular locality indicator and a particular item of local information and searching for a database match both search parameters (see col. 5, lines 3-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Seraj into the system of Koshima so that the located information can be retrieved faster.

As to claims 23, 25, the combination of Koshima and Seraj further teaches a method according to claim 22, wherein the locality indicator is a location area or cell identifier for a mobile radio cell in which the corresponding transmitter is located (see Koshima fig. 1, numbers 5A, 5B, 5C, col. 3, lines 37-48).

2. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koshima et al (US 6,415,155) in view of Seraj (US 6,055,434) and in further view of Asahi (EP 0785535).

As to claim 6, the combination of Koshima and Seraj fails to teach the database entries are distributed across multiple database servers on the basis of their respective associated locality indicators, the appropriate server being accessed by the service system according to the locality indicator received from the mobile device. Asahi teaches the database entries are distributed across multiple database servers on the basis of their respective locality indicators, the appropriate server being accessed by the service system according to the locality indicator received from the mobile device (see

col. 2, lines 52-59, col. 3, lines 2-8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Asahi into the system of Koshima and Seraj in order to speed up the searching process.

3. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koshima et al (US 6,415,155) in view of in view of Walsh (US 6,603,977).

As to claim 14, Koshima fails to teach a method of claim 1, wherein the short-range communication subsystem is an infrared based system. Walsh teaches the short-range communication sub-system is an infrared based system (see col. 9, line 64- col 10, line 30). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Walsh into the system of Koshima so that the mobile devices typically have the advantages of smaller size, lower cost.

Response to Arguments

Applicant's arguments filed 07/29/04 have been fully considered but they are not persuasive.

Applicant argues that the applied prior art fails to disclose the local information is not location information and about local business or landmark. The examiner disagrees. Since the ID signal broadcasted from the beacon in Seraj (US 6,055,434) does not include location information, the beacon signal is not the location signal as claimed. In addition, since the beacon is installed nearby or in the building, the beacon signal is about the building as claimed. In addition, applicant also argues that prior art fails to disclose extracting local information from transmitted data received from a transmission

source by using the short-range communication subsystem, the local information being information other than location information; and using the locality indicator and local information in combination as characterising data to access a data record associated with the source of the transmitted data and then using that data record to retrieve specific information having a relation to the current location of the mobile device. The examiner disagrees. Koshima teaches extracting local information from transmitted data received from a transmission source by using the short-range communication subsystem, the local information being information other than location information (see fig. 1, numbers 6A, 6B, 6C, col. 3, line 49- col. 4, line 6); and using the locality indicator and local information in combination as characterising data to access a data record associated with the source of the transmitted data and then using that data record to retrieve specific information having a relation to the current location of the mobile device (see col. 4, lines 7-25).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T Le whose telephone number is 703-305-4538. The examiner can normally be reached on 08:00-05:00 (Mon-Fri).

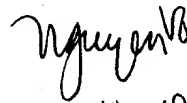
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nhan Le


10-18-2004

NGUYEN T. VO
PRIMARY EXAMINER